(5760-12200/VRTS-0375)

HE UNITED STATES PATENT AND TRADEMARK OFFICE

Filed: Invento	ation No.: 10/616,437 July 9, 2003 or(s): s F. van Rietschote	§ ;	Examiner: Group/Art Unit: Atty. Dkt. No:	Unknown 2183 5760-12200	
Craig W. Hobbs Mahesh P. Saptarshi		§ § §	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.		
Title:	Migrating Virtual Machines among Computer Systems to Balance Load Caused by Virtual Machines	\$ \$ \$ \$ \$	Lawrence J. M Name of Registered Rep		

<u>INFORMATION DISCLOSURE STATEMENT</u>

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:					
		t requests consideration of the references listed on the attached Form PTO-			
1449 and/or the additional information identified below in paragraph 3.					
		a copy of each required reference listed on the Form PTO-1449 is enclosed.			
		The references listed on the Form PTO-1449 were previously cited in application erial no to which the captioned application is seeking priority nder 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.			
1.	This In:	Information Disclosure Statement is submitted:			
	a.	within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in § 1.401 in an International application.			
		1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.			
	b.	after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus: the			

			certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.			
	c.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.			
2.	It is hereby certified:					
		was ci applica designa	ch item of information contained in this Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart tion and that this communication was not received by any individual ated in § 1.56(c) more than thirty (30) days prior to the filing of the ation disclosure statement;			
		was ci	ch item of information contained in this Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart application not more than three (3) months prior to the filing of the ent; or			
		was cir foreign after m	item of information contained in the Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart application or, to the knowledge of the person signing the certification taking reasonable inquiry, was known to any individual designated in § more than three (3) months prior to the filing of the Statement.			
3.	\boxtimes		eration of the following additional information (including any co-pending adoned U.S. applications, prior uses and/or sales, etc.) is requested:			
		Сору о	of the Office Action from U.S. Patent Application Serial No. 10/109,186, mailed November 29, 2004 (5760-00400).			
		Amend	lment to the claims in U.S. Patent Application Serial No. 10/109,186, submitted January 12, 2005.			
4.	For eac	h non-E	inglish language reference listed on the attached Form PTO-1449:			
		referen	ce is made to an English language translation submitted herewith, and/or			
			ce is made to a foreign patent office search report (in the English ge) submitted herewith, and/or			
			ce is made to an English language translation of a foreign patent office report submitted herewith, and/or			
			ce is made to the concise explanation contained in the specification of the application at page(s), and/or			
		referen	ce is made to the concise explanation set forth below:			

Application Serial No. 10/616,437 - Filed July 9, 2003

5.	Applicant also offers the following comments for the Examiner's consideration:
6.	Also enclosed is a copy of a foreign search report citing these references.
7.	The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
8.	Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5760-12200/LJM.

Respectfully submitted,

Lawrence J. Merkel Reg. No. 41,191

Attorney for Applicant(s)

Aunt

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C. P. O. Box 398 Austin, Texas 78767 (512) 853-8800

Date: January 17, 2004